

intended and foreseeable product. *See Federal Insurance* First Amended Complaint ¶¶ 509-535.

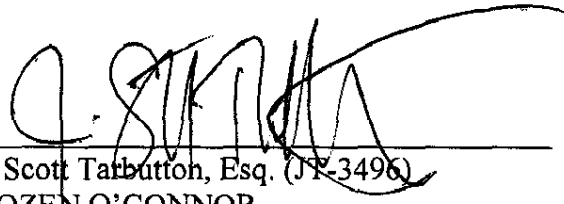
4. Jurisdiction of this Court over defendants Iran, Sudan and Syria is invoked pursuant to 28 U.S.C. § 1330, as the claims against those defendants fall within the exceptions to immunity set forth at 28 U.S.C. §§ 1605(a)(2), 1605(a)(5) and 1605(a)(7) (Foreign Sovereign Immunities Act).
5. This action was commenced on September 10, 2003 by the filing of the Summons and Complaint. The First Amended Complaint and Summons were filed on March 10, 2004. Defendants Iran, Sudan, and Syria were served with a copy of the First Amended Complaint and Summons, in accordance with the FSIA, as set forth below.
6. Service was effectuated on defendant Iran through diplomatic channels by the United States Department of State on December 7, 2004. True and correct copies of the Return of Service and supporting U.S. Department of State documents are attached to the Affidavit of Service as Exhibit A.
7. Service was effectuated on defendant Sudan through diplomatic channels by the United States Department of State on November 30, 2004. True and correct copies of the Return of Service and supporting U.S. Department of State documents are attached to the Affidavit of Service as Exhibit B.
8. Service was effectuated on defendant Syria by international registered mail, return receipt requested, transmitted by J. Michael McMahon, Clerk of the Court of the Southern District of New York on June 4, 2004, which was received and accepted by the Syrian Ministry of Foreign Affairs on June 15, 2004. True and correct copies of the Certificate

of Mailing and Return Receipt for International Mail are attached to the Affidavit of Service as Exhibit C.

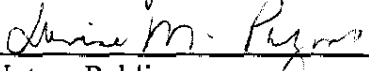
9. Defendants Iran, Sudan, and Syria have not answered or otherwise responded to the First Amended Complaint and the time for the defendants to answer or otherwise respond to the First Amended Complaint has expired.
10. Plaintiffs request a Clerk's Certificate of Default, which is attached hereto, to provide to Judge Richard C. Casey in connection with a Motion for Default pursuant to F.R.C.P. 55.

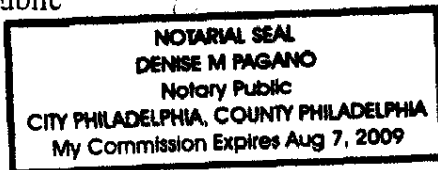
WHEREFORE, the Plaintiffs in *Federal Insurance Co. v. al Qaida*, 03-CV-6978 (RCC), respectfully request a Certificate of Default against defendants, the Islamic Republic of Iran, the Republic of Sudan, and the Syrian Arab Republic.

Dated: Philadelphia, Pennsylvania
September 8, 2005


J. Scott Tarbutton, Esq. (JP-3496)
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
Tel: (215) 665-2000

Sworn to before me this 8th
day of Sept., 2005.


Notary Public



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